

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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**TAILORED LIGHTING INC.,**

*Plaintiff,*

vs.

Civil Action No.  
6:04-CV-6435-MAT-MWP

**OSRAM SYLVANIA PRODUCTS, INC.,**

*Defendant.*

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**DECLARATION OF MICHAEL A. OROPALLO IN SUPPORT OF  
TAILORED LIGHTING'S OPPOSITION TO OSRAM SYLVANIA'S  
MOTION TO FURTHER AMEND ITS ANSWER AND COUNTERCLAIM**

Michael A. Oropallo, hereby declares as follows:

1. I am an attorney duly licensed to practice law before the courts of the State of New York, and a Partner at the law firm of Hiscock & Barclay, LLP, attorneys for Plaintiff Tailored Lighting Inc. ("TLI"). I am admitted to practice law in the State of New York and before the Court and am fully familiar with the facts and circumstances of this action.

2. I make this Declaration in opposition to the motion by Osram Sylvania Products, Inc. ("OSI") to further amend its answer and counterclaim.

3. Attached to the Appendix as Exhibit A is a true and correct copy of a OSI's First Set of Document Demands.

4. Attached to the Appendix as Exhibit B is a true and correct copy of a OSI's First Set of Interrogatories.

5. Attached to the Appendix as Exhibit C is a true and correct copy of a OSI's Second Set of Interrogatories.

6. Filed under seal as Exhibit D of the Appendix and as authorized by Court order are true and correct copies of Bates numbered documents TLI02360-70; TLI02441-3; and TLI02446-7, all marked as Highly Confidential under the Protective Order entered in this action.

7. Attached to the Appendix as Exhibit E is a true and correct copy of an August 24, 2006 letter transmitting, among other documents, copies of Exhibit D to attorneys for OSI.

8. Attached to the Appendix as Exhibit F is a true and correct copy of the amended answer and counterclaim as filed by OSI on July 12, 2007.

9. Attached to the Appendix as Exhibit G is a true and correct copy of excerpts from the June 3, 2008 deposition of Scott Firmstone.

10. Attached to the Appendix as Exhibit H is a true and correct copy of excerpts from the March 12, 2008 deposition of Howard Greenwald, Esq.

Dated: July 28, 2008

HISCOCK & BARCLAY, LLP

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**CERTIFICATE OF SERVICE**

I, Michael A. Oropallo, as attorney for plaintiff Tailored Lighting, Inc., hereby certify that, on this 28th day of July 2008, I caused this Declaration Of Michael A. Oropallo in Support of Tailored Lighting's Opposition to Osram Sylvania's Motion to Further Amend its Answer and Counterclaim to be electronically filed with the Clerk of the District Court for the Western District of New York using the CM/ECF system, which sent notification of such filing to the following:

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s/ Michael A. Oropallo  
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